

**A RESOLUTION
BY FINANCE/ EXECUTIVE COMMITTEE**

A RESOLUTION AUTHORIZING THE MAYOR OR HER DESIGNEE TO EXECUTE THE FIRST AMENDMENT TO THE AGREEMENT BETWEEN THE CITY OF ATLANTA AND BANKS, FINLEY, WHITE & COMPANY, FC-6005007976, ANNUAL CONTRACT FOR THE CITY OF ATLANTA AUDIT OF FINANCIAL STATEMENTS, ON BEHALF OF THE DEPARTMENT OF FINANCE, IN AN AMOUNT NOT TO EXCEED ONE HUNDRED FIFTY FIVE THOUSAND DOLLARS AND NO CENTS (\$155,000.00); ALL FUNDS SHALL BE CHARGED TO AND PAID FROM FUND ACCOUNT AND CENTER NUMBER 1C51 (CAPITAL FINANCE FUND) 524001 (CONSULTANT/ PROFESSIONAL SERVICES) T33401 (ERP PROJECT); AND FOR OTHER PURPOSES.

WHEREAS, on January 23, 2006, the City of Atlanta ("City") entered into an Agreement with Banks, Finley, White & Company ("Banks, Finley"), for FC-6005007976, Annual Contract for the City of Atlanta Audit of Financial Statements, for auditing services and related schedules; and

WHEREAS, the original term of the Agreement was for one (1) year with three (3) one-year renewal options at the City's sole discretion; and

WHEREAS, Ordinance 07-O-0588 adopted by the Atlanta City Council on May 7, 2007 and approved by the Mayor on May 14, 2007, authorized Renewal Agreement No. 1 between the City and Banks, Finley; and

WHEREAS, the City desires to amend the Agreement with Banks, Finley to add funding in an amount not to exceed One Hundred Fifty Five Thousand Dollars and No Cents (\$155,000.00), for an audit of Oracle Internal Controls in connection with the implementation of the ERP Project, to ensure that subsequent to the transfer of the City's financial data from the legacy Database to the Oracle Database Platform, Oracle will yield accurate data for future audits; and

WHEREAS, the Chief Financial Officer of the Department of Finance and the Chief Procurement Officer of the Department of Procurement recommend the execution of an amendment to the Agreement between the City of Atlanta and Banks, Finley, White & Company, in an amount not to exceed One Hundred Fifty Five Thousand Dollars and No Cents (\$155,000.00).

THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA HEREBY RESOLVES that the Mayor or her designee is hereby authorized to execute the first amendment to the Agreement between the City of Atlanta and Banks, Finley, White & Company, for FC-6005007976, Annual Contract for the City of Atlanta Audit of Financial Statements, for an audit of Oracle Internal Controls in connection with the implementation of the ERP Project, in an amount not to exceed One Hundred Fifty Five Thousand Dollars and No Cents (\$155,000.00) to be charged to and paid from Fund

Account and Center number 1C51 (Capital Finance Fund) 524001 (Consultant/ Professional Services) T33401 (ERP Project).

BE IT FURTHER RESOLVED, that the Chief Procurement Officer be and is hereby directed to prepare the appropriate contractual agreement for execution by the Mayor.

BE IT FINALLY RESOLVED, that said contractual agreement shall not become binding upon the City, and the City shall incur no liability upon the same until such contract is approved by the City Attorney as to form, executed by the Mayor, attested to by the Municipal Clerk, and delivered to the contracting parties.

Part II: Legislative White Paper: (This portion of the Legislative Request Form will be shared with City Council members and staff)

A. To be completed by Legislative Counsel:

Committee of Purview: Finance/ Executive Committee

Caption: A RESOLUTION AUTHORIZING THE MAYOR OR HER DESIGNEE TO EXECUTE THE FIRST AMENDMENT TO THE AGREEMENT BETWEEN THE CITY OF ATLANTA AND BANKS, FINLEY, WHITE & COMPANY, FC-6005007976, ANNUAL CONTRACT FOR THE CITY OF ATLANTA AUDIT OF FINANCIAL STATEMENTS, ON BEHALF OF THE DEPARTMENT OF FINANCE, IN AN AMOUNT NOT TO EXCEED ONE HUNDRED FIFTY FIVE THOUSAND DOLLARS AND NO CENTS (\$155,000.00); ALL FUNDS SHALL BE CHARGED TO AND PAID FROM FUND ACCOUNT AND CENTER NUMBER 1C51 (CAPITAL FINANCE FUND) 524001 (CONSULTANT/ PROFESSIONAL SERVICES) T33401 (ERP PROJECT); AND FOR OTHER PURPOSES.

Council Meeting Date: September 17, 2007

Requesting Dept.: Department of Finance

B. To be completed by the department:

1. Please provide a summary of the purpose of this legislation (Justification Statement).

The contract number is FC-6005007976. Banks, Finley White was the successful respondent to an RFP for audit services. Their response includes fees for other services as required, in addition to the outside audit. This engagement is based on those fees.

Banks, Finley & White (BFW) currently performs the annual outside audit of the City's Financial Statement and Internal Controls. With the shift from MARS/G and PeopleSoft to Oracle, BFW is required to audit the controls in Oracle and the conversion of data from MARS/G and PeopleSoft to Oracle to ensure that the financial information in Oracle is adequate.

2. Please provide background information regarding this legislation.

The Scope of Services provided by BFW is attached.

3. If Applicable/Known:

- (a) **Contract Type (e.g. Professional Services, Construction Agreement, etc):** Professional Services
- (b) **Source Selection:**
- (c) **Bids/Proposals Due:**
- (d) **Invitations Issued:**
- (e) **Number of Bids:**
- (f) **Proposals Received:**
- (g) **Bidders/Proponents:**
- (h) **Term of Contract:**

4. Fund Account Center: 1C51 Capital Finance Fund 524001 Consultant/Professional Services T33401 ERP Project

5. Source of Funds: GMA loan, included in the Capital Budget to be presented to Council on September 17, 2007.

6. Fiscal Impact: \$155,000

7. Method of Cost Recovery:

This Legislative Request Form Was Prepared By: Ray Zies

TRANSMITTAL FORM FOR LEGISLATION

TO: MAYOR'S OFFICE

ATTN: GREG PRIDGEON

Dept.'s Legislative Liaison: LaShawn Gardiner

Contact Number: 404-330-6449

Originating Department: Department of Finance

Committee(s) of Purview: Finance/ Executive Committee

Chief of Staff Deadline: August 24, 2007

Anticipated Committee Meeting Date(s): September 11-12, 2007

Anticipated Full Council Date: September 17, 2007

Legislative Counsel's Signature: [Signature]

Commissioner Signature: [Signature]

Chief Procurement Officer Signature: [Signature]

CAPTION

A RESOLUTION AUTHORIZING THE MAYOR OR HER DESIGNEE TO EXECUTE THE FIRST AMENDMENT TO THE AGREEMENT BETWEEN THE CITY OF ATLANTA AND BANKS, FINLEY, WHITE & COMPANY, FC-6005007976, ANNUAL CONTRACT FOR THE CITY OF ATLANTA AUDIT OF FINANCIAL STATEMENTS, ON BEHALF OF THE DEPARTMENT OF FINANCE, IN AN AMOUNT NOT TO EXCEED ONE HUNDRED FIFTY FIVE THOUSAND DOLLARS AND NO CENTS (\$155,000.00); ALL FUNDS SHALL BE CHARGED TO AND PAID FROM FUND ACCOUNT AND CENTER NUMBER 1C51 (CAPITAL FINANCE FUND) 524001 (CONSULTANT/ PROFESSIONAL SERVICES) T33401 (ERP PROJECT); AND FOR OTHER PURPOSES.

FINANCIAL IMPACT (if any): \$155,000.00

Mayor's Staff Only

Received by CPO: _____ Received by LC from CPO: _____
(date) (date)

Received by Mayor's Office: 9/11/07 [Signature] Reviewed by: 9/11/07 [Signature]
(date) (date)

Submitted to Council: _____
(date)